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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/695,249   | 10/27/2003  | Valery M. Dubin      | 42P16681            | 4353             |
| 7590   | 08/18/2005  |                      | EXAMINER            |                  |
| MICHAEL A. BERNADICOU<br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP<br>12400 WILSHIRE BOULEVARD,<br>SEVENTH FLOOR<br>LOS ANGELES, CA 90025 |             |                      |                     | LE, DUNG ANH     |
|  |             | ART UNIT             |                     | PAPER NUMBER     |
|  |             | 2818                 |                     |                  |
| DATE MAILED: 08/18/2005  |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |              |
|------------------------------|-----------------|--------------|
| <b>Office Action Summary</b> | Application No. | Applicant(s) |
|                              | 10/695,249      | DUBIN ET AL. |
| Examiner                     | Art Unit        |              |
| DUNG A. LE                   | 2818            |              |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on \_\_\_\_.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-8,10-17 and 27-29 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-8,10-17 and 27-29 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)      4)  Interview Summary (PTO-413)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)      Paper No(s)/Mail Date. \_\_\_\_\_  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
    Paper No(s)/Mail Date \_\_\_\_\_  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

U.S. Patent and Trademark Office  
PTO-326 (Rev. 1-04)

## Office Action Summary

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Part of Paper No /Mail Date 080515

## DETAILED ACTION

Claims 1- 8, 10-17 and 27- 29 are pending in this application.

### Claim Rejections

#### Set of claims 1- 8 and 13- 17

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1- 8 and 13- 17 are rejected under 35 USC 102 (b) as being anticipated by Besser et al. (6,444,567).**

Besser et al. teach a method for making a semiconductor device (fig. 2) comprising; forming a conductive path 5 on a substrate, the conductive path made of a first material (copper);

depositing a second material on the conductive path, wherein the second material (Co, col 10, line 19) does not comprise the first material; and facilitating a diffusion of the second material into the conductive path, the second material having a predetermined solubility to substantially diffuse to at

least one of an interface and grain boundaries within the first material to significantly increase reliability of the conductive path (col 10, lines 45- 64).

### **Set of claims 10- 12**

**Claims 10- 12 are rejected under 35 USC 102 (b) as being anticipated by Besser et al. (6,444,567).**

Besser et al. teach method for making a semiconductor device (fig. 2) comprising:

forming a conductive path 5 on a substrate, the conductive path made of a first material (copper) ;

depositing, a second material (Co, col 10, line19) on the conductive path subsequent to planarizing the substrate having the conductive path; and

facilitating a diffusion of the second material into the conductive path, the second material having a predetermined solubility to substantially diffuse to at least one of an interface and grain boundaries within the first material to significantly increase reliability of the conductive path (col 10, lines 45-64).

### **Set of new claims 27- 29**

#### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 27- 29 are rejected under 35 U.S.C. 103 (a) as being  
unpatentable over Besser et al. in view of the following remark.**

Basser et al. teach method for making a semiconductor device comprising: forming a conductive path 5 on a substrate, the conductive path made of a first material (copper); depositing a second material (Co. col 10, line19) on the conductive path; and facilitating a diffusion of the second material into the conductive path, the second material having a predetermined solubility to substantially diffuse to at least one of an interface and grain boundaries within the first material to significantly increase reliability of the conductive path (col 10, line 45- 63).

Basser et al. does not teach removing an oxide from the conductive path. It would have been obvious to one having ordinary skill in the art at the time the invention was made to remove an oxide from the conductive path because this treatment improves the effecting diffusion between metal layers, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the desired application.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung A. Le whose telephone number is (571) 272-1784. The examiner can normally be reached on Monday-Tuesday and Thursday 6:00am-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571) 272-1787. The central fax phone

numbers for the organization where this application or proceeding is assigned are (571)272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DUNG A. LE  
Primary Examiner  
Art Unit 2818

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